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REMARKS

The above-listed claim amendments along with the following remarks are fully responsive to the Office Action of July 29, 2005. Claims 1 and 9 are amended. Claim 19 is cancelled. After entry of this Amendment, claims 1-18 are pending. No new matter is introduced into the application by the claim amendments.

Drawings

The Office Action objected to the drawings under 37 C.F.R. § 1.83(a) because features of the invention specified in claims 13-15 were not depicted. The Applicant asserts that Figure 1 clearly shows pockets, as described in the specification. Figure 1, however, has been amended to even more clearly depict pockets as described in paragraph [0031]. No new matter has been added. Therefore, the Applicants respectfully request that the Examiner withdraw this objection. Clean and marked-up copies of amended Figure 1 are included with this Amendment.

Claim Rejections – 35 U.S.C. § 112, ¶1

The Examiner rejected claims 13-15 under 35 U.S.C. § 112, ¶1 as failing to comply with the enablement requirement. Specifically, the Office Action asserted that the construction of the plurality of pockets and their contents was not adequately described in the specification nor depicted in the drawings. Applicants respectfully traverse this rejection.

Applicants respectfully submit that a person of ordinary skill in the artificial seed bed art would be able to practice the claimed invention based on the specification and claims as originally filed. The Specification at paragraph [0031] describes that the top and bottom layers can be secured together along the perimeter of one or both layers and at positions that extend inward from the perimeter. Paragraph [0031] further describes that pockets can be created within the intermediate space when the top and bottom layers, which are secured together extend inwardly. The pockets can be used for holding seeds. Furthermore, claims 13-15 as originally filed describe the construction of the plurality of pockets. Additionally, the drawings are amended to more clearly depict pockets.

In view of these remarks, Applicants respectfully submit that the claims satisfy the enablement requirement of 35 U.S.C. § 112, ¶1.

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Claim Rejections – 35 U.S.C. § 102

Claims 1-6, 8-11, 13 and 16-19 were rejected under § 102(a) as being anticipated by U.S. Patent No. 6,681,521 to Holloway ("Holloway"). The Office Action stated that Holloway reports an article used for growing vegetation.

Claim 1 has been amended to recite that the article used for growing vegetation includes a base layer that has a wet density of at least about 0.07 grams per cubic centimeter and a cover layer having a wet density of about 0.05 to about 0.20 grams per cubic centimeter.

Applicants respectfully submit that Holloway does not anticipate amended claim 1 because Holloway does not report an article for growing vegetation wherein the cover layer of the article has a wet density of about 0.05 to about 0.20 grams per cubic centimeter and the base layer of the article has a wet density of at least about 0.07 grams per cubic centimeter.

Holloway reports a seed germination medium that includes an upper layer which is permeable to gases and substantially impermeable to water, a lower layer formed from a biodegradable material and seeds being disposed beneath the upper layer. The upper layer may optionally have a plurality of perforations that enable the germinating seedlings to grow through the upper layer. While Holloway reports the upper and lower layer having a basis weight within or overlapping with the ranges as claimed, Holloway is silent with respect to the wet density of the layers.

For the reasons asserted above, Applicants respectfully request withdrawal of this rejection as it applies to claims 1-6, 8-11, 13 and 16-19.

Claim Rejections – 35 U.S.C. § 103(a)

Claim 7 was rejected as being unpatentable over Holloway. The Office Action asserts that while Holloway is silent as to the use of jute fibers, Holloway teaches a biodegradable natural fiber cover. According to the Office Action, it would be obvious to substitute the tissue paper as taught by Holloway with the jute, as claimed. Alternatively, the Office Action asserts that jute is merely an alternative equivalent biodegradable natural fiber layer serving the same intended function as the cover layer.

Applicants respectfully submit that there must be some suggestion or incentive in the art to modify the article reported in Holloway to include the recited components as in amended claim 1, namely an article that includes a base layer having a wet density of at least about 0.07

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grams per cubic centimeter and cover layer having a wet density of about 0.05 to about 0.20 grams per cubic centimeter. A person of skill in the art of making an article for growing vegetation would not be motivated to specifically include a cover and base layer with wet densities as recited in amended claim 1 because such suggestion or teaching is clearly lacking in Holloway.

For the reasons set above, Applicants respectfully requests withdrawal of this rejection.

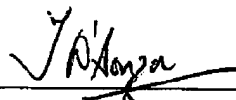
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Conclusion

All pending claims are now in condition for allowance. A notice to that effect is respectfully requested.

Respectfully Submitted,
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ANNOTATED SHEET SHOWING CHANGES

